HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

Single Bench : Hon'ble Shri S.R. Nayak, CJ

Writ Petition No. 4625 OF 2005

PETITIONER

Smt. Kusumbai Suryavanshi,
Aged about 50 years, W/o Shri Bhagauram Survanshi, R/o Village Mohtarai, Post - Somartal (Ratanpur), Tehsil & Distt. Bilaspur (C.G.)

Versus

RESPONDENTS

1. Smt. Pratimabai Suryvanshi, aged about 25 years, W/o Shri Santosh Suryvanshi
2. Shri Santosh Suryvanshi, Aged about 28 years, S/o Shri Fhoolsai
3. Shri Fhoolsai Suryvanshi, aged about 60 years, S/o Rambharose Suryvanshi
4. Smt. Laxminbai Suryvanshi, aged about 50 years, W/o Shri Fhoolsai Suryvanshi Res. 1 to 4 all resident of Village - Mohtarai, Post - Somartal (Ratanpur), Tehsil & Distt. Bilaspur (C.G.)
5. State of Chhattisgarh, Through :- The Secretary, Home Department, D.K.S. Bhavan Raipur, District - Raipur (C.G.)
6. The Collector, Bilaspur District - Bilaspur (C.G.)
7. The Superintendent of Police Bilaspur, District - Bilaspur (C.G.)

Present:

Mr.Vijay Deshmukh, learned counsel for the petitioner.

Mr. Yashwant Singh, learned Govt. Advocate for the State/respondents No. 5 to 7.

ORAL ORDER
(Passed on 13th of December 2005)

The complaint in this writ petition is that on 04-06-2005 the petitioner was physically tortured by respondents 1 to 4 on the ground that she is a Tonhi and she was dragged on the street after pulling her out

from her residence while she was staying with her husband, son, daughters, son-in-law and other family members. It is alleged that when she went to the Police Station, Ratanpur to lodge FIR, the police refused to register the FIR. So alleging, the petitioner has sought intervention of the Court by filing this writ petition under Article 226 of the Constitution of India. I am of the considered opinion that by entertaining this writ petition and keeping the same on the file, would not serve the interest of the petitioner. The ends of justice would be met by permitting the petitioner to send her complaint to the Superintendent of Police, Bilaspur directly and directing him to take appropriate legal action in accordance with law on the said complaint.

In that view of the matter, I dispose of the writ petition permitting the petitioner to send her complaint directly to the Superintendent of Police, Bilaspur, District Bilaspur by registered post acknowledgement due, within ten days from today and on receipt of the complaint, the Superintendent of Police, Bilaspur, District Bilaspur shall take appropriate legal steps and action in accordance with law, without any further loss of time. There shall be no order as to costs.

Sd/-
Chief Justice

Sybby